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July 12, 2021

VIA EMAIL

The Honorable Lewis A. Kaplan
United States District Court Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Dennis, et al. v. JPMorgan Chase & Co., et al., No. 16-cv-6496-LAK (SDNY)

Dear Judge Kaplan:

The parties write to inform the Court that they have independently resolved a discovery dispute currently pending before the Court.

On October 30, 2020, Plaintiffs filed two letter motions to compel production—one regarding relevant products (the “products motion”), and the other regarding time period (the “time period motion”). See ECF 426, 427. Defendants responded by letter on November 9, 2020. See ECF 431, 432.

The products motion addressed productions related to foreign exchange (“FX”) derivative products (“FX productions”). Five of the six defendants remaining in this action—BNP Paribas, SA, The Royal Bank of Scotland plc, Royal Bank of Canada, UBS AG, and Deutsche Bank AG (the “12(c) Defendants”)—objected to FX productions on the basis of the pendency of the Rule 12(c) motions for judgment on the pleadings. See ECF 391, 397, 412, 416, 417. The 12(c) Defendants have withdrawn that objection, and the parties therefore write to advise the Court that the portions of the pending products motion related to FX productions are now moot. See ECF 427, Para 2-7; ECF 432, Section 1.

The parties continue to meet and confer in an attempt to resolve the other issues addressed in the products and time period motions, which the parties hope will avoid the need for court intervention.

Dkts. 426 and 427 are
denied. The denial is without
prejudice to renewal if the parties
cannot resolve their by agreement.

Respectfully submitted,
s/ Kelly A. Carrero
Kelly A. Carrero

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SO ORDERED
LEWIS A. KAPLAN, USDJ

7/13/21